

**SPRING TOWNSHIP SUPERVISORS**  
**Regular Monthly Meeting**  
**March 5<sup>th</sup>, 2007**  
**7:00 P.M.**

The Spring Township Supervisors Meeting was called to order at 7:00 p.m. by Frank Royer, Chairman, followed by Pledge to the Flag.

**Supervisors:** Frank Royer, Terry Perryman & David Capperella  
**Solicitor:** John Miller, Jr.  
**Township Manager:** William MacMath  
**Zoning Officer:** Vaughn Zimmerman  
**Guests:** Attendance sheet attached to original minutes

**HEARING OF VISITORS:**

**Chris Price – Centre County Planning Office – TDR’s** – Mr. Price introduced himself and reported he is requesting the Supervisors to keep options open regarding Transfer Development Rights (TDR’s). If options are open the Township will need to do the following:

1. Identify as permissible in the Zoning Ordinance.
2. Adopt second ordinance to regulate TDR’s.
3. If adopted, would need to be identified on the map.

William MacMath, Manager, reported the Planning Commission is in favor of adopting and using TDR’s as a planning tool and a way to help preserve farms. The new Zoning Ordinance has been developed to reflect TDR’s, but have also developed alternatives in case TDR’s are not used.

Mr. Price is requesting to leave the draft language as is for now and work with the County, then the Township can decide if it is feasible for Spring Township. After some discussion, Terry Perryman, Vice-Chairman, reported he would agree with letting the language as is for the time being. Supervisors agreed. No further discussion.

**Joann Shaffer – Centre County Solid Waste** – Joann Shaffer handed out to the Board copies of three PA Technical Assistance Applications, one for Spring Township, Benner Township and Walker Township. Township’s are working jointly with Spring Benner Walker Authority. Ms. Shaffer reported the program is available through D.E.P. and each application value could be \$7,500 at no charge to local governments selected to participate in the program.

Terry Perryman, Vice-Chairman, questioned if this is regarding hiring one person to collect trash as discussed before? William MacMath, Manager, reported yes. Mr. Perryman reported he is sure it probably would save some money for the residents, however, he has a problem with running out small businesses. Ms. Shaffer reported this particular assistance you can set up how you want so it wouldn’t necessarily run the smaller man out. Frank Royer, Chairman, questioned if this is just for a Feasibility Study? Ms. Shaffer reported yes, and you always have the right to reject.

David Capperella, Supervisor, commented his feelings are that any profits are a possibility of going out of the County if a larger company were to get the bid. Also is not sure why Spring Benner Walker Joint Authority is getting involved. Ms. Shaffer reported Technical Assistance must be requested through D.E.P. Spring Benner Walker Joint Authority can apply but can only apply as one, so if all three Township's applied individually it would be more money. If monies were awarded, it would go directly to Gannet Fleming Consultants to complete the study. David Capperella, Supervisor, reported if the application is strictly for consulting he would agree to proceed with submitting the application only. It was on a motion of Terry Perryman seconded by David Capperella to approve proceeding with the study only contingent upon Benner and Walker Township's agreeing also. Unanimously approved motion carried.

### **ACTION ON MINUTES OF FEBRUARY 5<sup>th</sup>, 2007:**

It was on a motion of Terry Perryman seconded by David Capperella to accept the Minutes of February 5<sup>th</sup>, 2007 as submitted. Unanimously approved motion carried.

### **REPORTS ON OFFICIALS AND COMMITTEES:**

The following reports were submitted to The Board of Supervisors and are on file for review.

- Township Treasurers Report – Submitted by Molly Baird
- Water Authority Treasurers Report – Submitted by Molly Baird
- Police Report – Submitted by Greer Perryman
- Municipal Employees Report – Submitted by Gary Royer
- Code Enforcement Report – Submitted by Vaughn Zimmerman
- Sewer Enforcement Report – Submitted by Ralph Houck
- Fire Company Report – Submitted by Gary Royer

It was on a motion of Terry Perryman seconded by David Capperella to accept the above reports as submitted. Unanimously approved motion carried.

### **OLD BUSINESS:**

**Kerstetter Traffic Impact Study** – William MacMath, Manager, reported he has spoken with Ron Seybert and there are still issues that have not been addressed satisfactorily. There is conflicting data within the report and there are still some queuing issues. Ron does not recommend waiving this condition from the Preliminary Plan approval. Mr. MacMath feels that progress has been made and, would recommend that we allow the final plan to be submitted, with the understanding that no final plan approvals be granted until preliminary conditions are satisfied and that a 90 day time extension be granted by the developer along with the application for final plan.

David Gill, Weis Markets, reported he is requesting that the Subdivision and Land Development Plan be shifted from Preliminary to the Final Plan to keep the project rolling. Mr. Gill gave brief background of the history of this project and how they have gone through challenges. At this point things have been moving along well, now with the Traffic Impact Study he does not want project to come to a stand still again. All conditions will be met as per PennDot requirements so does not feel this should be an issue. Frank Royer, Chairman, questioned if the

Township can proceed legally. William MacMath, Manager, reported as per his memo to the Supervisors, the conditions must remain. A couple items yet should be resolved shortly. Agreed to have all plans submitted to keep proceeding, conditions must be met for Land Development. It was on a motion of Terry Perryman seconded by David Capperella to permit Weis Markets to proceed as planned. Unanimously approved motion carried.

David Gill questioned the small items listed by Ron Seybert, if they can work with the Township and PennDot and possibly have some issues waived if Township agrees. William MacMath, Manager, reported yes. No further discussion.

**Kepler Pool Funding** - Frank Royer, Chairman, reported the Kepler Pool is in need of funding. Bellefonte Borough is looking for funding to help operate the pool, the Bellefonte YMCA is managing it for the Borough. Looking for municipalities to help, asking for \$1.00 per person residing within the Township, therefore Spring Township's share would be \$6,000.00 based on our population. At this point, Bellefonte is looking for a commitment only. David Capperella, Supervisor, reported he would be in favor if other municipalities go along with, he would agree. Terry Perryman, Vice-Chairman, reported the only problem he has is them saying Spring Township has 60% of the membership, how do they know this? David Capperella, Supervisor, reported they should require or provide breakdown to each municipality. It was on a motion of Terry Perryman seconded by David Capperella to approve the donation if the pool opens and other municipalities go along also. Unanimously approve motion carried.

## **NEW BUSINESS:**

**Letter of Resignation from George Brown** - William MacMath, Manager, read letter of resignation from the Spring Benner Walker Joint Authority submitted by George Brown. It was on a motion of Terry Perryman seconded by David Capperella to accept the letter of resignation submitted by George Brown. Unanimously approved motion carried.

**Appointment to Spring Benner Walker Joint Authority – Chris McMurtrie** – William MacMath, Manager, reported Chris McMurtrie would like to be appointed to the Spring Benner Walker Joint Authority Board. Chris works at Cerro and lives in Coleville and just has an interest in serving the community. It was on a motion of Terry Perryman seconded by David Capperella to appoint Chris McMurtrie to the Spring Benner Walker Joint Authority to fill the un-expired term of George Brown which will expire 12/31/08. Unanimously approved motion carried.

**YMCA Sponsorship** – William MacMath, Manager, reported Helen Alters has asked if the Township is willing to sponsor the YMCA auction on March 17<sup>th</sup>, 2007. The auction benefits those who can not afford “Y” Programs. This is not a budgeted item but the Township can afford \$250.00. It was on a motion of Terry Perryman seconded by David Capperella to approve the donation in the amount of \$250.00 as a Bronze Sponsor. Unanimously approved motion carried.

**2007 Elections – Use of Building Request** – It was on a motion of Terry Perryman seconded by David Capperella to approve the use of the Township building for the 2007 Elections. Unanimously approved motion carried.

**Prel./Final – Country Cove** – Vaughn Zimmerman, Zoning Officer, reported CDG Properties proposes to develop a multi-family parcel of ground opposite from the Country Cove land development. Eight single family homes organized into a condominium association are proposed to be constructed on this parcel. The Phase 2 Preliminary Plan allowed for 29 total multi-family units, 12 of which were allocated in the first Country Cove land development. This plan would bring the total number of these units allocated to 20 out of 29. At this time, all comments from this office and Centre County Planning Office have been addressed. Comments issued by Don Franson have been received, and he recommends approval once his remaining comments have been addressed. The Spring Township Planning Commission voted unanimously to recommend conditional approval of this plan at their meeting on February 19, 2007. The Commission added one condition for approval, and that is that turn-around areas be provided for unit driveways. Terry Perryman, Vice-Chairman, commented that the Planning Commission is doing a great job and he wanted to commend them for all their hard work. It was on a motion of Terry Perryman seconded by David Capperella to grant conditional approval of the Preliminary/Final Land Development Plan for Country Cove II, dated 11/22/06, last revised 2/7/07. Conditions of approval being completion of any remaining comments issued by Don Franson, Spring Township Engineer, approval of E & S Plan by Centre County Conservation District and provision for turn-around spaces on driveways. Unanimously approved motion carried.

**Prel./Final – Fox Hill Senior Apartments Phase II** – Vaughn Zimmerman, Zoning Officer, reported Fox Hill Housing proposed to construct a 48-unit apartment building for senior housing. This building will be similar to the currently existing Fox Hill Apartments building and will contain the same number of units as the first building. Access to the building is off Rockrimmon Drive, a private road. This plan conforms to Spring Township's Zoning Ordinances, and review comments by this office, Centre County Planning Office and don Franson have all been addressed. Bellefonte Borough has committed to water service for this development, and the Centre county Conservation District has approved this plan. A Component 3 Planning Module has been completed and submitted to Spring Township for review.

A waiver request was asked for and granted by the Spring Township Planning Commission to exempt this plan from the two stage review process. The Planning Commission voted unanimously to recommend conditional approval of this Land Development Plan. It was on a motion of Terry Perryman seconded by David Capperella to grant conditional approval of the Preliminary/Final Land Development Plan for Fox Hill Senior Apartments Phase 2, dated 12/27/06, last revised 2/7/07. Condition of approval being approval of the Component 3 Planning Module by D.E.P. Unanimously approved motion carried.

**Fox Hill Planning Module** – Vaughn Zimmerman, Zoning Officer, reported a Component 3 Planning Module is required for Fox Hill Senior Apartments Phase 2. This module will grant the developer the 48 EDU's required for this project. Spring Township Planning Commission voted unanimously to recommend approval of this planning module. It was on a motion of David Capperella seconded by Terry Perryman to approve the Fox Hill Planning Module. Unanimously approved motion carried.

**Act 537 – Spring Creek Interceptor** – William MacMath, Manager, reported he has included the proposed report from Bellefonte on replacing the Interceptor, SBWJA Engineers comments and Warren Miller's comments in the Board packets. Since a portion of this is in Spring the Township must amend its Act 537 Plan, if they concur. The 30 day comment period

ends on March 5, 2007, today, the revision can be done anytime. The Planning Commission recommends that no action be taken on the amendment until some of these issues are resolved and asked that our comments be forwarded on to the Borough. Comments have been sent. Mr. MacMath also reported he has talked to Bob Decker and D.E.P. and concerns are valid. D.E.P. reviewed preliminary study and had some of the same concerns.

Chuck Thompson, Nittany Engineering, submitted sheets to the Board regarding Documented Facts on the Spring Creek Interceptor (copy attached to original minutes) and asked if the Supervisors wanted him to go over. Terry Perryman, Vice-Chairman, reported they have reviewed the report and have gotten conflicting information which needs resolved before this can take place. Frank Royer, Chairman, reported there is no problem with the Act 537 and agree the interceptor is needed. Terry Perryman, Vice-Chairman, remarked he is tired of the finger pointing. William MacMath, Manager, reported after talking with D.E.P., they agree it is needed but needs consistency. Frank Royer, Chairman, reported this can not be acted on tonight, but hope to get issues resolved within the month. Tabled until April's meeting. No further discussion.

**Police Training** – William MacMath, Manager, reported Chief King is requesting additional training since the training that was already approved last month. He believes everyone should receive new training every year, but with a small Police Department, training can really cut into patrolling and protecting our Township. Mr. MacMath recommends the additional training for Officer Schall and Roefaro only at this point. Supervisors agreed to approve only the additional training for Officers Schall and Roefaro.

#### **FOR INFORMATION:**

**Hazard Mitigation Workshop – 4/18/07** – William MacMath, Manager, reported there will be a Hazard Mitigation Workshop held on 4/18/07 from 1:00 to 4:00 p.m. in the Commissioners conference room at the Willowbank Building. PEMA will be sending a person to this workshop to provide us with a short update briefing and answer any of our questions. Every municipality is encouraged to send somebody to this update workshop.

**County Wide Mutual Aid Agreement** – William MacMath, Manager, reported the County Wide Mutual Aid Agreement has been proposed by the County for review at this point. The Commissioners will be adopting and signing the Emergency Services Mutual Aid Agreement at their public meeting on Tuesday, March 6<sup>th</sup>, 2007. This county-wide agreement is voluntary, but strongly encourage all municipalities to also adopt and execute the Mutual Aid Agreement. Fire Company has comments. Gary Royer, Road Foreman, also Fire Chief, will review further. Copy also given to Chief King for review. Tabled at this time.

**Spring Convention – 3/21/07 – 7:00 p.m., C.P.I.** – William MacMath, Manager, reported the Spring Convention will be held on 3/21/07 at 7:00 p.m. at the Central PA Institute (C.P.I.) for all Supervisors interested. You will be paid \$50 plus mileage from the Township General Fund for attending.

#### **RESOLUTIONS & ORDINANCES:**

## **CORRESPONDENCE:**

William MacMath reported on the following correspondence received.

**Comcast** – Letter received regarding billing errors.

Frank Royer, Chairman, questioned where the Township stands as far as Verizon paying Franchise Fees since they are now into the cable business. William MacMath, Manager, reported so far all is in limbo because Verizon is not offering cable service in our area yet, it is not available.

## **BILLS FOR APPROVAL:**

It was on a motion of Terry Perryman seconded by David Capperella to approve the bills for the month of February 2007 as submitted for the General Fund Account, Street Light Account, Building Fund Account, and the State Fund Account. Unanimously approved motion carried.

## **OPEN FORUM:**

- (1) Frank Miceli – Joint meeting with Supervisors & Planning Commission – TDR's Meeting set for 3/19/07 at 6:00 p.m.
- (2) Edith Gordon – TDR's

## **ADJOURN:**

With no further business to discuss, it was on a motion of Terry Perryman seconded by David Capperella to adjourn the meeting at 8:20 p.m. Unanimously approved motion carried.

**Molly Baird**  
**Recording Secretary**

